



#5
LDT
11-15-00

REISSUE PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re reissue application of

Group Art Unit: 2781

Charles F. Pyne

Patent No. 5,721,907

Issued: February 24, 1998

For: **REMOTE FILE TRANSFER
METHOD AND APPARATUS**

REISSUE APPLICATION DECLARATION
BY THE INVENTOR

TO THE ASSISTANT
COMMISSIONER FOR PATENTS:

As a below named inventor, I hereby declare that:

1. My residence, post office address, and citizenship are stated below next to my name.

2. I believe I am the original, first, and sole inventor of the subject matter which is described and claimed in U.S. Patent No. 5,721,907 ("the '907 patent"), granted February 24, 1998, and for which a reissue patent is sought on the invention entitled REMOTE FILE TRANSFER METHOD AND APPARATUS, the specification of which was filed on February 24, 2000 as reissue application number 09/512,967 and is amended by a preliminary amendment that accompanies this declaration.

3. I have reviewed and understand the contents of the above-identified specification, including the claims.

4. I acknowledge the duty to disclose information that is material to patentability as defined in 37 CFR 1.56.

5. I believe that the original patent ('907 patent) is wholly or partly inoperative or invalid, by reason of the patentee's claiming more or less than the patentee had the right to claim in the patent.

6. The invention determines differences between source and reference data files located at separate computers. Each of these computers can operate as a sending computer or a receiving computer of data mismatches representing the differences determined. At least one error on which reissue is based is that the claims of the '907 patent are unnecessarily narrow. These claims recite that a computer (unit) containing a source file compares the source file to keys associated with a reference file and sends mismatches to the computer (unit) containing the reference file. The claims of the '907 patent unnecessarily restrict the computer (unit) containing a source file as the computer (unit) that compares the source file to keys associated with a reference file and sends mismatches to the computer (unit) containing the reference file.

7. All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

8. I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

<u>Name</u>	<u>Reg. No.</u>
Paul S. Angello	30,991
Kassim M. Ferris	39,974
Michael L. Levine	33,947
Christopher V. Panoff	46,456
Richard B. Preiss	36,640
Micah D. Stolowitz	32,758
James L. Wolfe	33,623

Direct all telephone calls to Paul S. Angello at telephone number (503) 224-3380.

Address all correspondence to:

STOEL RIVES LLP
900 SW Fifth Avenue, Suite 2600
Portland, Oregon 97204-1268.

9. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole inventor: Charles F. Pyne

Signature: Charles F. Pyne 9/12/00
Date

Residence: Norfolk, Massachusetts

Citizenship: United States of America

Post Office address: 187 Seekonk Street
Norfolk, Massachusetts 02056
